

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STEPHEN CAVANAUGH,

Plaintiff,

vs.

RANDY BARTELT, et al.,

Defendants.

4:14-CV-3183

ORDER

This matter is before the Court on the plaintiff's "Motion for Reduction of Initial Partial Filing Fee Amount / Extension of Time to Pay / Leave to Pay from Inmate Release Account" (filing [57](#)). Due to complications resulting from the plaintiff's impending release from state custody and transfer to Hall County custody, the plaintiff asks the Court to reduce the amount of initial partial filing fee, or for an indefinite extension of time to pay it.

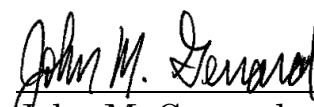
While the Court is not unsympathetic to the plaintiff's position, the Court cannot reduce the amount of the initial partial filing fee: the formula for determining that fee is quite specifically set by statute. See [28 U.S.C. § 1915\(b\)\(1\)](#). Nor can the Court extend the deadline for doing so indefinitely. But the Court can extend the time for payment until after the plaintiff's transfer to Hall County, so that the plaintiff can better assess his means of payment. And the plaintiff may seek another extension if he is unable to pay the initial partial filing fee at that time.

IT IS ORDERED:

1. The plaintiff's "Motion for Reduction of Initial Partial Filing Fee Amount / Extension of Time to Pay / Leave to Pay from Inmate Release Account" (filing [57](#)) is granted in part and denied in part.
2. The plaintiff shall pay an initial partial filing fee of \$13.87 by **July 31, 2016**, unless a further enlargement of time is granted in response to a written motion.

Dated this 9th day of May, 2016.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard". The signature is written in a cursive style with a large initial "J".

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John M. Gerrard  
United States District Judge